

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

SHEILA A. BOYETTE and TIFFANY  
JIMINEZ, individually and on behalf of all  
others similarly situated,

*Plaintiffs,*

v.

MONTEFIORE MEDICAL CENTER, THE  
BOARD OF TRUSTEES OF MONTEFIORE  
MEDICAL CENTER, THE TDA PLAN  
COMMITTEE, DR. MICHAEL STOCKER  
and JOHN DOES 1-30,

*Defendants.*

Case No. 22-cv-05280

Hon. John G. Koeltl

**(PROPOSED) CONFIDENTIALITY ORDER ON PRE-DISCOVERY PRODUCTION**

The parties, through their respective counsel, have stipulated to entry of this Confidentiality Order on Pre-Discovery Production (“Order”) to prevent the unwarranted dissemination or disclosure of certain documents that constitute or contain confidential information subject to protection under Federal Rule of Civil Procedure Rule 26(c)—specifically, certain recordkeeping agreements requested by Plaintiffs prior to discovery (the “Pre-Discovery Production”). The parties stipulate and agree that good cause exists for the entry of this Order in accordance with Rule 26(c) to protect against improper disclosure of such confidential information produced or disclosed in this litigation.

Accordingly, it is **ORDERED** as follows:

1. All documents included in Defendants’ Pre-Discovery Production, and the information contained therein, shall be designated “CONFIDENTIAL” or “HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL ONLY INFORMATION” (collectively, “CONFIDENTIAL MATERIAL”) and shall be used solely for the purpose of this litigation,

including any appeal thereof, and may not be shared or disseminated except as expressly provided herein.

2. In filing CONFIDENTIAL MATERIAL with this Court, or filing portions of any pleadings, motions, or other papers that disclose such CONFIDENTIAL MATERIAL (“Confidential Court Submission”), the Parties shall publicly file a redacted copy of the Confidential Court Submission via the Electronic Case Filing System. The Parties shall file an unredacted copy of the Confidential Court Submission under seal with the Clerk of this Court, and the Parties shall serve this Court and opposing counsel with unredacted courtesy copies of the Confidential Court Submission. However, nothing in this order is to be deemed approval that filing under seal is appropriate. If Plaintiffs file any documents included in Defendants’ Pre-Discovery Production under seal, Defendants shall file a letter within two (2) weeks from the date of filing to justify why continuing the documents under seal is required.

3. Within 60 days of the final disposition of this action – including all appeals – all recipients of CONFIDENTIAL MATERIAL must either return it – including all copies thereof – to the Producing Party, or, upon permission of the Producing Party, destroy such material – including all copies thereof. In either event, by the 60-day deadline, the recipient must certify its return or destruction by submitting a written certification to the Producing Party that affirms that it has not retained any copies, abstracts, compilations, summaries, or other forms of reproducing or capturing any of the CONFIDENTIAL MATERIAL. Notwithstanding this provision, the attorneys that the Parties have specifically retained for this action may retain an archival copy of all pleadings, motion papers, transcripts, expert reports, legal memoranda, correspondence, or attorney work product, even if such materials contain CONFIDENTIAL MATERIAL. Any such

archival copies that contain or constitute CONFIDENTIAL MATERIAL remain subject to this Order.

4. **This Order is not binding on the Court or Court Personnel. The Court reserves the right to amend it at any time.**

Dated: February 14, 2023

CAPOZZI ADLER, P.C.

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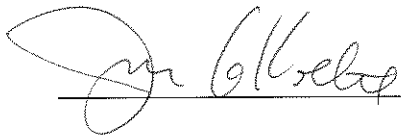
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2/14/23   
J. Koeltl, U.S. District Court Judge